

**Before the Federal Transit Administration
U.S. Department of Transportation
49 CFR Part 604**

DEPT. OF TRANSPORTATION
DOCKETS

2008 APR 25 P 12:57

Request for an Advisory Opinion:

Rochester-Genesee Regional Transportation Authority
Docket No. FTA-2007-0023

Advisory Opinion 08-02 (Supplement)

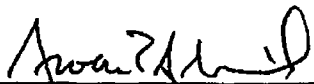
On March 26, 2008, Rochester-Genesee Regional Transportation Authority (RGRTA) requested a supplemental advisory opinion concerning an Advisory Opinion issued on March 25, 2008, regarding proposed service for "Planting Day." Specifically, the request states in relevant part:

Our question is whether RGRTA is prohibited by 604.14(b) from now providing notice to registered charter providers that RGRTA is interested in providing the charter service described in Advisory Opinion 08-02.

The new charter service regulation goes into effect on April 30, 2008. Thus, RGRTA cannot be held in violation for requirements that go into at the end of this month. RGRTA may proceed to voluntarily issue a notice to registered charter providers before the April 30, 2008 deadline or RGRTA may wait until the new regulations become effective. On April 30, 2008, the new rules require RGRTA to send out a notice in accordance with the time provisions set out in 49 CFR 604.14(b).

In the future, if the service RGRTA wishes to provide is the subject of an advisory opinion, we advise RGRTA to send out the required notice to registered charter providers with a short statement indicating the submission of an advisory opinion. In this way, RGRTA would be in compliance with the new regulation and at the same time put registered charter providers on notice regarding the advisory opinion.

Dated this 25th day of April 2008.



Severn E.S. Miller
Chief Counsel